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PTO/SB/21 (09-04)

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Total Number of Pages in This Submission

108

Application Number	10/784,513
Filing Date	February 23, 2004
First Named Inventor	Gorski, et al.
Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	22311/04024

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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Form PTO/SB/08A (1 page)
Form PTO/SB/08B (1 page)
4 References (102 pages)
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Remarks

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 03-0172.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Pamela A. Docherty		
Date	March 22, 2006	Reg. No.	40,591

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Wendy A. Frick	Date	March 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 22nd day of March, 2006.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gorski, et al.

) Examiner: Not yet assigned

)

)

Serial No.: 10/784,513

) Art Unit: 1645

)

Filed: February 23, 2003

) Confirmation No.: 1509

)

For: **GROWTH ARREST HOMEBOX GENE**

) Attorney Docket No.: 22311/04024

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This information disclosure statement is being filed before the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

REFERENCES

- ☒ The Applicants wish to make of record the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ Listed on the attached PTO/SB/08A and PTO/SB/08B is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a

matter to be resolved during prosecution.

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☐ This information disclosure statement is being filed within three months of the filing of the within application and/or **prior to a first Office Action** on the merits being received.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☐ A check is attached in the amount of \$ _____ required under 37 § 1.17(p).
- ☒ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: March 22, 2006

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416



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(Use as many sheets as necessary)

Sheet	1	of	2
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Application Number	10/784,513
Filing Date	February 23, 2004
First Named Inventor	Gorski, et al.
Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	22311/04024

[illegible][illegible]Date
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/784,513
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First Named Inventor	Gorski, et al.
Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	22311/04024

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Targeted vectors for gene therapy" by Miller, et al. FASEB J. 9, 190-199 (1995).	
		"Gene therapy - promises, problems and prospects" by Verma, et al., Nature, Vol. 389, 18 September 0997, pp. 239-242.	
		"Gene Therapy: Promises and Problems" by Pfeifer, et al., Annu. Rev. Genomics Hum. Genet. 2001, 2:177-211.	
		Chapter 5, "Gene-Based Therapy" by Eck, et al., Goodman & Gilman's The Pharmacological Basis of Therapeutics, 1996, McGraw-Hill, New York, NY	
		"Transgenic and therapeutic targeting of smooth muscle cells and the challenges presented by phenotypic diversity" by Strauch, et al., Emerging Therapeutic Targets (1999) 3(2):279-306.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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